

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 585 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?  
Nos. 1 to 5 No.

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THAKOR UDESINH MADHAJI

Versus

STATE OF GUJARAT

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Appearance:

MS.RUPAL PATEL FOR MR PH PATHAK for Petitioners  
MR.KN SHASTRI FOR DA BAMBHANIA for Respondents.

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CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 21/03/97

ORAL JUDGEMENT

Heard learned counsel. Rule. Mr.Shastri waives service of the Rule.

It is the common case of the parties that it has already been held by this Court that the Government Resolution dated 17.10.1988 issued by Department of Roads and Buildings, is applicable to the employees of the

Forest Department. The present petitioner No.1 namely Thakor Udesinh Madhaji is also employee of the Forest Department and he is also entitled to the benefit of the Government Resolution dated 17.10.1988. It is pointed out that an exactly identical matter i.e. Special Civil Application No. 8589 of 1996 has been decided on 11.3.1997 alongwith other identical matters by a common order giving benefit of aforesaid Government Resolution dated 17.10.1988 to the employees of the Forest Department who are similarly situated to the present petitioner.

In the facts and circumstances of the case, it is directed that the petitioner shall also be entitled to the benefit of this Government Resolution dated 17.10.1988 and on that basis whatever amount is found to be payable shall be paid to the petitioner at the earliest possible opportunity by the respondents but in no case later than 30.4.1997. This Special Civil Application is allowed in the terms as aforesaid and the Rule is made absolute accordingly. No order as to costs. Interim relief shall stand automatically vacated.

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